

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 ROGER S. ATCHLEY,

Case No. 2:19-cv-02182-EJY

5 Plaintiff,

ORDER

6 v.

7 ANDREW SAUL, Acting Commissioner of
8 Social Security,¹

9 Defendant.

10 A review of the docket in this matter evidences that Plaintiff, who is proceeding *pro per*,
11 filed a Complaint on February 4, 2020 (ECF No. 6) that failed to state the nature of his disability or
12 allege when it commenced. Plaintiff's Complaint also failed to (1) include a plain, short, and concise
13 statement identifying the nature of his disagreement with the decision made by the Social Security
14 Administration, or (2) show how Plaintiff is entitled to relief. As explained in the Court's March
15 10, 2020 Order (ECF No. 7), these failures leave the Court without the ability to conduct a
16 meaningful screening of Plaintiff's Complaint and, as such, fail to state a claim upon which relief
17 may be granted. *Id.* at 2.

18 On March 10, 2020, the Court issued its Order to Show Cause why this matter should not be
19 dismissed. *Id.* The Court gave Plaintiff through and including March 24, 2020 to respond to its
20 Order to Show Cause. As of the date of this instant Order, April 1, 2020, Plaintiff has filed nothing
21 with the Court. Therefore, and because Plaintiff failed to file a complaint providing the defendant
22 with fair notice of what he is claiming and the grounds upon which he seeks relief, Plaintiff fails to
23 state a claim upon which relief may be granted. *Montoya v. Colvin*, No. 2:16-cv-00454-RFB-NJK,
24 2016 WL 890922, at *2 (D. Nev. Mar. 8, 2016).

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27 ¹ Andrew Saul is the current Commissioner of Social Security and is automatically substituted as a party pursuant
28 to Fed. R. Civ. P. 25(d). *See also* 42 U.S.C. § 405(g) ("Any action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.").

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Complaint (ECF No. 6) is
2 dismissed and the Clerk of Court is directed to close the case.

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4 DATED this 1st day of April, 2020.

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7 ELAYNA J. YOUCHAK
8 UNITED STATES MAGISTRATE JUDGE
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